



Environmental, Planning, and Engineering Consultants

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Memorandum

To: Town of Washington Planning Board
From: AKRF, Inc. (A. Werner, AICP; A. Moore)
Date: August 2, 2024
Re: Florack Site Plan (677 Deep Hollow Rd)
cc: Jim Florack and Tracy Kimmel (property owner)
Julie Kalberer, AIA (Turino Kalberer Architects)
Joseph P. Eriole (PB Attorney)
Jonathan Ialongo (Town Building Inspector)

AKRF, Inc. has reviewed the following documents and plans for the above referenced application:

- Cover Letter to Erin Fox, Planning Administrator, from Julie Kalberer, AIA (Turino Kalberer Architects) dated 7/18/24.
- Planning Board Application signed 7/17/24.
- Owners Endorsement by James Florack notarized 6/3/24.
- Owners Endorsement by Tracy Kimmel notarized 6/4/24.
- Property Survey prepared by Kevin Cunningham dated 6/15/10.
- Architectural Drawings (9 sheets) prepared by Turino Kalberer Architects and dated 7/17/24.
- Owners Affidavit notarized 7/18/24.
- Consent to Inspection dated 7/17/24.
- Disclosure of Business Interest dated 7/18/24.
- Deed
- Environmental Assessment Form (EAF) dated 6/11/24.
- Agricultural Data Statement dated 7/17/24.
- Aerial Photo (Parcel Access) dated 7/16/24.
- Photos (11) of the existing house.
- Conservation Easement by Dutchess Land Conservancy (DLC) dated 1994.
- Letter of Approval from DLC dated 6/12/24.

PROJECT DESCRIPTION

The Applicant proposes to construct a one-story addition to an existing single-family home located at 677 Deep Hollow Road, a 23.45-acre lot in the RR-10 zoning district (tax parcel 135889-6966-493540) and Agricultural District (AD) 21. The subject property is currently improved with a 2-story, 5,233 SF house (built 1810), guest house, two barns, pool, accessory structures, and a farming area. The house is preexisting nonconforming as it has a front setback of 43.8 feet where 100 feet is required. The project proposes to remove the existing laundry room, porch, rear landing and steps and add a new entry, laundry room, mudroom, and porch. The proposed net increase is coverage 389 SF. The new addition would be made to the side (southeast) of the house, and at its closest point, would be 80.1 feet from the front lot line. The proposed addition has been designed to match the historic character of the existing house. The project is 375± feet from the nearest pond and 670± feet from the nearest wetland. The ZBA granted a 19.9-foot area variance to reduce the front setback, as well as a special permit to increase the size of the house (as a nonconforming structure) by approximately 7.4%. The special permit requires Planning Board site plan approval.

COMMENTS

APPLICATION COMPLETENESS

1. Per the cover letter, the Applicant received confirmation from the Town Building Inspector that a certificate of occupancy (CO) is not required, as the subject house, constructed in 1810, predates the CO requirement.
2. The application includes an approval letter from DLC in accordance with the terms of the easement (section 3.12).

CODE COMPLIANCE

3. The existing house is preexisting nonconforming for encroaching the front yard setback (43.8' provided; 100' required). As the addition would be made to the side of the house (southeast), it would not further decrease the front setback; however, the addition itself would be 80.1 feet from the front lot line where 100 feet is required. The ZBA, at its 7/16/24 meeting, granted a 19.9-foot setback variance, as well as a special permit to increase the size of the house as nonconforming structure, conditioned on obtaining site plan approval from the Planning Board.
4. The site plan should identify the construction area of disturbance (limits of disturbance) as well as plans for disposal of construction and demolition waste.
5. Pursuant to Zoning Code Section 483, for proposals that will have a minimal impact on surrounding properties, the Planning Board may, in its discretion, waive selected site plan requirements for specific applications.
6. As shown on the submitted Wetlands Map (Sheet A2) and the Town Wetlands Map (NRI #12), there are nearby offsite state and federal wetlands, as well as a freshwater pond. However, as illustrated on the submitted Wetlands Map, the project site is 375± feet from the pond and 670± feet from the nearest wetland (federal wetlands north of the project site). As the project is clearly beyond the 100-foot buffer area, a wetland permit and CAC referral are not required.
7. The Planning Board has typically required a public hearing for site plan approval. However, there is recent precedent to forgo the public hearing for a site plan when the application has already been subject to a public hearing by the ZBA, there are no additional/new considerations since the ZBA hearing, and no wetlands or other sensitive areas are implicated (no referral to the CAC). The Planning Board may consider forgoing the public hearing on this application.

REFERRALS

8. The subject parcel is within 500 feet of a farm operation in an agricultural district (AD 21). This application is therefore subject to General Municipal Law (GML) 239-m, which requires referral to

Dutchess County. Under the terms of the Town's Referral Reduction Agreement with Dutchess County, site plans are not exempt from the GML 239-m referral and review process. The County is required to respond within 30 days of receipt.

SEQRA

9. This application is considered a Type II Action under the State Environmental Quality Review Act (SEQRA), which requires no environmental review or submission of an Environmental Assessment Form. The applicable Type II citation is as follows:

“6 NYCRR 617.5(c)(11) – construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (13) of this subdivision and the installation, maintenance or upgrade of a drinking water well or a septic system, or both, and conveyances of land in connection therewith.”

RECOMMENDATION

At the August 6, 2024 Planning Board meeting, AKRF recommends that the Planning Board discuss the application and consultant comments, classify the application as Type II under SEQRA (6 NYCRR 617.5(c)(11)), authorize the Secretary to refer the application to Dutchess County Planning (pursuant to GML 239-m), and consider forgoing or setting the public hearing if prepared to do so.